

12/12/01



JCS 37 U.S. PTO

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12-17-01

PTO/SB/05 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	3211.2.11
First Inventor	Christopher Dansie
Title	SYSTEM AND METHOD FOR PROVIDING FAULT-TOLERANT REMOTE CONTROLLED COMPUTING DEVICES
Express Mail Label No.	EV001613716US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

U.S. Patent and Trademark Office
PO Box 2327
ADDRESS TO: Box Patent Application
Arlington, VA 22202

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27
3. ☒ Specification [Total Pages **54**]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross References to Related Application
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets **5**]
5. Oath or Declaration [Total Pages **3**]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation /divisional with Box 17 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identify of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C.
122(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.
17. ☒ Other: Express Mail Certificate

17. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 60/255,212

Prior application information: Examiner:

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**18. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label

21552

or ☐ Correspondence address below

NAME	David J. McKenzie				
	MADSON & METCALF				
ADDRESS	15 West South Temple, Suite 900				
CITY	Salt Lake City	STATE	Utah	ZIP	84101
COUNTRY	U.S.A.	TELEPHONE	(801) 537-1700	FAX	(801) 537-1799

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete If Known

Application Number	
Filing Date	December 12, 2001
First Named Inventor	Christopher Dansie
Group Art Unit	
Examiner Name	
Attorney Docket Number	3211.2.11

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$ 410

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account
Number

13-0763

Deposit Account
Name

MADSON & METCALF

The Commissioner is authorized to (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		101	740	201	370	Utility filing fee	370
		106	330	206	165	Design filing fee	
		107	510	207	255	Plant filing fee	
		108	740	208	370	Reissue filing fee	
		114	160	214	80	Provisional filing fee	
SUBTOTAL (1)							370

2. EXTRA CLAIMS FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims Fee from below	Fee Paid
20	-20** = 0 x 9 = 0	0
Ind. Claims 3	-3** = 0 x 42 = 0	0
Multiple Dep. Claims	0 x 140 = 0	0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		103	18	203	9	Claims in excess of 20	
		102	84	202	42	Independent claims in excess of 3	
		104	280	204	140	Multiple dependent claim	
		109	84	209	42	**Reissue independent claims over original patent	
		110	18	210	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) 0

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
		105	130	205	65	Surcharge - late filing fee or oath	
		127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
		139	130	139	130	Non-English specification	
		147	2520	147	2520	For filing a request for reexamination	
		112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
		113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
		115	110	215	55	Extension for reply within first month	
		116	400	216	200	Extension for reply within second month	
		117	920	217	460	Extension for reply within third month	
		118	1440	218	720	Extension for reply within fourth month	
		128	1960	228	980	Extension for reply within fifth month	
		119	320	219	160	Notice of Appeal	
		120	320	220	160	Filing a brief in support of an appeal	
		121	280	221	140	Request for oral hearing	
		138	1510	138	1510	Petition to institute a public use proceeding	
		140	110	240	55	Petition to revive - unavoidable	
		141	1280	241	640	Petition to revive - unintentional	
		142	1280	242	640	Utility issue fee (or reissue)	
		143	460	243	230	Design issue fee	
		144	620	244	310	Plant issue fee	
		122	130	122	130	Petitions to the Commissioner	
		123	50	123	50	Processing fee under 37 CFR 1.17(q)	
		126	180	126	180	Submission of Information Disclosure Stmt	
		581	40	581	40	Recording each patent assignment per property (times number of properties)	40
		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))	
		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))	
		179	740	279	370	Request for Continued Examination (RCE)	
		169	900	169	900	Request for expedited examination of a design application	

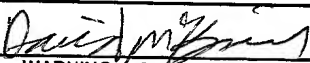
Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3)

40

SUBMITTED BY

Typed or Printed Name	David J. McKenzie	Reg. Number	46,919
Signature		Date	Dec 12, 2001
		Deposit Account User ID	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

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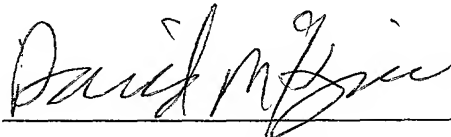
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Christopher Dansie
Title	System & Method for Providing Fault-Tolerant Remote Controlled Computing Devices
Atty Docket Number	3211.2.11

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 12, 2001

Date



Signature

David J. McKenzie

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EV001613716US

Date of Deposit: December 12, 2001

I hereby certify that this patent application in the name of Christopher Dansie, Chad Martin Dressler, Jordan Seth Larsen, and Patrick Kelly Struhs for SYSTEM AND METHOD FOR PROVIDING FAULT-TOLERANT REMOTE CONTROLLED COMPUTING DEVICES, together with the drawings, a Utility Patent Application Transmittal, a Fee Transmittal, a Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i), a joint signature Declaration, Power of Attorney, and Petition, an Assignment, and a Credit Card Payment Form for \$410.00 are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box Patent Application, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, Virginia 22202.

Respectfully submitted,



David J. McKenzie
Reg. No. 46,919
Attorney for Applicant

Date: December 12, 2001

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